

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 62nd LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON FISH, WILDLIFE AND PARKS**

**Call to Order:** Chair Ted Washburn, on March 22, 2011 at 3:00 PM, in Room 152  
Capitol

#### **ROLL CALL**

**Members Present:**

Rep. Ted Washburn, Chair (R)  
Rep. Mike Phillips, Vice Chair (D)  
Rep. Carlie Boland (D)  
Rep. Pat Connell (R)  
Rep. Virginia Court (D)  
Rep. Robyn Driscoll (D)  
Rep. Kelly Flynn (R)  
Rep. Bill Harris (R)  
Rep. Dan Kennedy (R)  
Rep. Austin Knudsen (R)  
Rep. Cleve J. Loney (R)  
Rep. Mike Miller (R)  
Rep. Jesse O'Hara (R)  
Rep. Ken Peterson (R)  
Rep. Jean Price (D)  
Rep. Dan Skattum (R)  
Rep. Max Yates (R)

**Members Excused:** Rep. Jeffery W. Welborn, Vice Chair (R)  
Rep. Franke Wilmer (D)  
Rep. Douglas (Doug) Kary (R)

**Members Absent:** None

**Staff Present:** Cara Gold, Committee Secretary  
Hope Stockwell, Legislative Branch

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

**Committee Business Summary:**

Hearing & Date Posted: SB 90, 3/16/2011; SB 212, 3/16/2011; SB 255, 3/16/2011; SB 301, 3/16/2011

Executive Action: HB 576; SB 174

00:00:06 The Chair welcomed the committee and reviewed the committee rules and agenda.

00:01:48 Rep. Knudsen

00:02:13 Hope Stockwell, Legislative Services Division (LSD)

**EXECUTIVE ACTION ON SB 174**

00:02:54 **Motion:** Rep. O'Hara moved that **SB 174 BE CONCURRED IN.**

**Discussion:**

00:03:18 Rep. Phillips  
[EXHIBIT\(fih64a01\)](#)

00:05:20 Rep. Flynn left the hearing.

00:05:57 Rep. Miller

00:06:45 Rep. Phillips

00:07:41 Rep. Loney

00:08:40 Rep. Kennedy

00:09:30 Rep. Connell

00:11:48 Rep. Peterson

00:13:10 Rep. Yates

00:13:49 Rep. Phillips

00:13:53 Rep. Miller

00:14:16 Rep. Yates

00:14:41 Rep. Miller

00:15:08 Rep. Phillips

00:17:59 Rep. Loney

00:18:15 Rep. Peterson left the hearing.

00:19:03 Rep. Kennedy

00:19:45 Rep. Harris

00:19:48 Rep. Peterson returned to the hearing.

00:21:31 Rep. Driscoll

00:22:01 Joe Maurier, Montana Department of Fish, Wildlife and Parks (FWP)

00:23:01 Rep. Miller

00:23:28 Joe Maurier, FWP

00:23:36 Rep. Skattum

00:23:56 **Vote:** Motion failed 10-10 by roll call vote with Rep. Connell, Rep. Flynn, Rep. Kary, Rep. Kennedy, Rep. Knudsen, Rep. Miller, Rep. Skattum, Rep. Washburn, Rep. Welborn and Rep. Yates voting aye. Rep. Flynn, Rep. Kary, Rep. Welborn and Rep. Wilmer voted by proxy.

00:25:20 Rep. Yates left the hearing.

00:25:28 **Motion/Vote:** Rep. Phillips moved that **SB 174 BE TABLED**. Motion carried 15-4 by roll call vote with Rep. Connell, Rep. Kennedy, Rep. Miller and Rep. Skattum voting no. Rep. Flynn, Rep. Kary, Rep. Welborn and Rep. Wilmer voted by proxy. Rep. Yates was not present and did not vote.

### **EXECUTIVE ACTION ON HB 576**

00:28:20 Hope Stockwell, LSD

00:28:44 **Motion:** Rep. Miller moved that **HB 576 DO PASS**.

00:29:01 **Substitute Motion:** Rep. Harris moved that **HB 576 BE AMENDED**.  
**EXHIBIT(fih64a02)**

### **Discussion:**

00:30:01 Rep. Welborn and Rep. Flynn entered the hearing.  
Rep. Knudsen left the hearing.

00:31:35 Rep. Flynn  
00:32:31 Rep. Phillips

00:33:32 **Vote:** Motion failed 6-14 by roll call vote with Rep. Harris, Rep. Loney, Rep. O'Hara, Rep. Peterson, Rep. Skattum and Rep. Welborn voting aye. Rep. Kary, Rep. Knudsen, Rep. Wilmer and Rep. Yates voted by proxy.

00:35:01 **Vote:** Motion failed 2-18 by roll call vote with Rep. Harris and Rep. Loney voting aye. Rep. Kary, Rep. Knudsen, Rep. Wilmer and Rep. Yates voted by proxy.

00:36:19 **Motion/Vote:** Rep. Welborn moved that **HB 576 BE TABLED AND THE VOTE REVERSED**. Motion carried 16-0 by voice vote. Rep. Knudsen, Rep. Wilmer, Rep. Kary and Rep. Yates were not present and did not vote.

### **HEARING ON SB 90**

#### **Opening Statement by Sponsor:**

00:37:04 Sen. Jeff Essmann (R), SD 28, opened the hearing on SB 90, \$3 from sale of deer/antelope B tag license for processing of donated game.

00:40:21 Rep. Knudsen returned to the hearing.  
Rep. Welborn left the hearing.

**Proponents' Testimony:**

00:43:36 Tom Hauptman, Self

[EXHIBIT\(fih64a03\)](#)

00:47:54 Roxanne Lincoln, Montana AARP

[EXHIBIT\(fih64a04\)](#)

**Opponents' Testimony:**

00:49:03 Joe Maurier, FWP

[EXHIBIT\(fih64a05\)](#)

00:51:23 Bob Gilbert, Walleyes Unlimited of Montana

00:54:21 Wayne Brewster, Self

[EXHIBIT\(fih64a06\)](#)

00:57:25 Rod Bullis, Self

00:59:03 Bob Brastrup, Self

01:01:54 Ben Lamb, Montana Wildlife Federation (MWF)

01:02:38 John Borgreen, Russell Country Sportsmen of Great Falls

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

01:03:56 Rep. Phillips

01:04:55 Sen Essmann

01:06:13 Rep. Phillips

01:06:48 Sen. Essmann

01:06:51 Rep. Flynn left the hearing.

01:07:23 Rep. Phillips

01:07:53 Sen. Essmann

01:08:03 Rep. Price

01:08:40 Sen. Essmann

01:09:57 Rep. Price

01:10:23 Joe Maurier

01:12:02 Rep. Miller

01:12:40 Joe Maurier

01:13:09 Rep. Kennedy

01:13:19 Joe Maurier

01:13:53 Rep. Kennedy

01:14:01 Joe Maurier

01:14:40 Rep. Peterson

01:15:25 Sen. Essmann

01:16:29 Rep. Peterson

01:16:42 Sen. Essmann

01:16:49 Rep. Peterson

01:17:03 Sen. Essmann

01:17:36 Rep. Peterson

01:18:02 Joe Maurier

01:18:29 Rep. Peterson  
01:18:38 Joe Maurier  
01:19:01 Rep. Loney  
01:19:20 Joe Maurier  
01:20:02 Rep. Harris  
01:21:19 Joe Maurier  
01:21:43 Rep. Boland  
01:22:03 Joe Maurier  
01:22:42 Rep. Boland  
01:22:51 Joe Maurier  
01:23:18 Rep. Washburn  
01:23:42 Joe Maurier  
01:23:56 Rep. Washburn  
01:24:00 Joe Maurier

**Closing by Sponsor:**

01:24:18 Sen. Essmann

**HEARING ON SB 212**

**Opening Statement by Sponsor:**

01:33:57 Sen. Rick Ripley (R), SD 9, opened the hearing on SB 212, Clarify FWP authority to manage wild buffalo or bison.

**Proponents' Testimony:**

01:37:10 John Bloomquist, Phillips County  
01:40:04 Richard Dunbar, Phillips County Commissioner  
[EXHIBIT\(fih64a07\)](#)  
01:42:17 Lorents Grosfield, Self  
[EXHIBIT\(fih64a08\)](#)  
01:46:20 Errol Rice, Montana Stockgrowers Association  
01:47:52 Nicole Rolf, Montana Farm Bureau Federation  
(Women Involved in Farm Economics (WIFE) asked Ms. Rolf to show their support for SB 212 also.)

**Opponents' Testimony:**

01:50:18 Joe Maurier, FWP  
[EXHIBIT\(fih64a09\)](#)  
01:52:01 Stephany Seay, Buffalo Field Campaign  
[EXHIBIT\(fih64a10\)](#)  
01:55:47 Ben Lamb, MWF  
01:58:23 Good Shield Aguilar, Buffalo Field Campaign

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

02:02:34 Rep. Miller  
02:02:59 Sen. Ripley  
02:03:51 Rep. Miller  
02:04:08 Sen. Ripley  
02:04:37 Rep. Phillips  
02:05:28 Sen. Ripley  
02:05:44 Rep. Phillips  
02:06:14 Sen. Ripley  
02:06:42 Rep. Phillips  
02:06:59 John Bloomguist  
02:08:48 Rep. Phillips  
02:09:02 John Bloomguist  
02:09:25 Rep. Phillips  
02:09:58 John Bloomguist  
02:10:31 Rep. Phillips  
02:11:31 Sen. Ripley  
02:11:38 Rep. Phillips  
02:12:01 Sen. Ripley  
02:12:14 Rep. Peterson  
02:12:35 Joe Maurier  
02:13:39 Rep. Peterson  
02:13:54 Joe Maurier  
02:14:05 Rep. Peterson  
02:14:29 Joe Maurier  
02:14:55 Rep. Loney  
02:15:23 Sen. Ripley  
02:15:47 Rep. Loney  
02:15:57 Rep. Kennedy  
02:16:14 Stephany Seay  
02:16:35 Rep. Kennedy  
02:16:40 Stephany Seay

**Closing by Sponsor:**

02:17:02 Sen. Ripley  
02:19:31 Hope Stockwell, LSD

**HEARING ON SB 301****Opening Statement by Sponsor:**

02:20:48 Sen. Rick Ripley (R), SD 9, opened the hearing on SB 301, Moratorium on land purchases by dept. of fish, wildlife, and parks.

**Proponents' Testimony:**

02:22:06 Chuck Denowh, United Property Owners of Montana

02:24:04 Richard Dunbar, Phillips County Commissioner  
 02:25:57 Nicole Rolf, Montana Farm Bureau Federation  
 02:28:09 Errol Rice, Montana Stockgrowers Association and Montana CattleWomen  
 Association  
 02:30:20 Mike Fellows, Self

**Opponents' Testimony:**

02:31:18 Joe Maurier, FWP  
[\*\*EXHIBIT\(fih64a11\)\*\*](#)  
 02:38:00 George Golie, MWF  
 02:39:40 Rich Clough, Self  
[\*\*EXHIBIT\(fih64a12\)\*\*](#)  
 02:41:12 Rod Bullis, Self  
 02:43:26 Casey Perkins, Montana Audubon  
 02:44:56 Robert Sanders, Ducks Unlimited

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

02:46:19 Rep. Driscoll  
 02:46:44 Nicole Rolf  
 02:47:15 Rep. Flynn  
 02:47:56 Errol Rice  
 02:48:27 Rep. Flynn  
 02:49:07 Joe Maurier  
 02:50:43 Rep. Flynn  
 02:52:15 Joe Maurier  
 02:53:25 Rep. Skattum  
 02:53:37 Joe Maurier  
 02:53:47 Rep. Skattum  
 02:54:10 Joe Maurier  
 02:55:10 Rep. Miller  
 02:55:40 Joe Maurier  
 02:56:29 Rep. Yates  
 02:57:31 Joe Maurier  
 02:59:48 Rep. Yates  
 03:00:12 Joe Maurier  
 03:01:12 Rep. Loney  
 03:01:29 Joe Maurier  
 03:01:56 Rep. Loney  
 03:02:24 Joe Maurier  
 03:03:45 Rep. Kennedy  
 03:04:09 Joe Maurier  
 03:04:26 Rep. Kennedy  
 03:04:36 Joe Maurier

**Closing by Sponsor:**

03:04:47 Sen. Ripley

**HEARING ON SB 255**

**Opening Statement by Sponsor:**

03:16:16 Sen. John Brenden (R), SD 18, opened the hearing on SB 255, Establish criteria for FWP commission decisions.

[EXHIBIT\(fih64a13\)](#)

[EXHIBIT\(fih64a14\)](#)

**Proponents' Testimony:**

03:26:49 Paul Ellis, Self

[EXHIBIT\(fih64a15\)](#)

[EXHIBIT\(fih64a16\)](#)

[EXHIBIT\(fih64a17\)](#)

[EXHIBIT\(fih64a18\)](#)

03:32:38 Chuck Denowh, United Property Owners of Montana

03:33:38 Mary-Ellen Schnur, Self

[EXHIBIT\(fih64a19\)](#)

03:37:43 Bob Gilbert, Walleyes Unlimited of Montana

03:39:57 Rachel Kinkie, Coalition for Responsible Management of Fish and Wildlife

[EXHIBIT\(fih64a20\)](#)

[EXHIBIT\(fih64a21\)](#)

03:41:40 Ariel Overstreet, Montana Stockgrowers Association and Montana CattleWomen Association

03:42:16 Nicole Rolf, Montana Farm Bureau Federation  
(WIFE asked Ms. Rolf to show their support also.)

03:42:40 Mac Minard, Montana Outfitters and Guides Association (MOGA)

**Opponents' Testimony:**

03:44:44 Bob Ream, Fish, Wildlife and Parks Commission

[EXHIBIT\(fih64a22\)](#)

[EXHIBIT\(fih64a23\)](#)

03:50:49 Joe Maurier, FWP

[EXHIBIT\(fih64a24\)](#)

[EXHIBIT\(fih64a25\)](#)

[EXHIBIT\(fih64a26\)](#)

03:54:18 Ben Lamb, MWF

03:58:00 Vito Quatraro, Headwaters Sportsmen's Association

[EXHIBIT\(fih64a27\)](#)

04:01:07 Rod Bullis, Self

**Informational Testimony:** None



**Questions from Committee Members and Responses:**

04:03:38	Rep. Harris
04:04:17	Bob Ream
04:05:33	Rep. Harris
04:05:51	Bob Ream
04:06:10	Rep. Washburn
04:06:28	Rep. Flynn
04:07:00	Mac Minard
04:09:40	Rep. Flynn
04:10:18	Joe Maurier
04:10:37	Rep. Yates
04:11:45	Bob Ream
04:12:37	Rep. Yates
04:13:34	Bob Ream
04:14:03	Rep. Yates
04:14:34	Bob Ream
04:15:20	Rep. Phillips
04:16:29	Sen. Brenden
04:18:26	Rep. Washburn
04:18:49	Ben Lamb
04:19:06	Rep. Washburn
04:19:12	Ben Lamb
04:19:33	Rep. Washburn
04:19:40	Ben Lamb

**Closing by Sponsor:**

04:20:04	Sen. Brenden
04:23:37	Rep. Washburn
04:23:49	Hope Stockwell

**ADJOURNMENT**

04:24:20      Adjournment

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Cara Gold, Secretary

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**Additional Exhibits:**

**[EXHIBIT\(fih64a28\)](#)**

Additional Documents:

**EXHIBIT([fih64aad.pdf](#))**